

**REMARKS**

In the final Office Action, the Examiner rejects claims 8-12 and 25-30 under 35 U.S.C. § 103(a) as unpatentable over OKADA (U.S. Patent Application Publication No. 2003/0164822A1) in view of WALL et al. (U.S. Patent Application Publication No. 2003/0140056). Applicant respectfully traverses the rejection.

By way of the present amendment, Applicant proposes amending claims 8-11 and 25-30 to improve form. No new matter has been added by way of the present proposed amendment. Claims 1, 4, 5, 8-16, and 20-30 are now pending, of which claims 1, 4, 5, 13-16, and 20-24 have been withdrawn from consideration.

**Statement Regarding Substance of Interview**

In accordance with Applicant's duty to provide a summary of an interview, Applicant submits that an interview with the Examiner occurred on May 18, 2011. Applicant appreciates the courtesies extended by Examiner Shafi during the interview. During the interview, Applicant's representative presented arguments as to how the claimed invention distinguishes from the applied references. Applicant's representative also presented proposed amendments to the pending claims. The Examiner appeared to indicate that the proposed amendments to the pending claims would overcome the applied references. The proposed amendments are substantively included in the pending claims. Accordingly, Applicant's respectfully submit that the pending claims are patentable over the applied references.

**Rejection under 35 U.S.C. § 103(a) based on OKADA and WALL et al.**

Claims 8-12 and 25-30 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over OKADA in view of WALL et al. Applicant respectfully traverses this rejection.

As indicated above, and without acquiescing in the Examiner's allegation with respect to claims 8-12 and 25-30, Applicant proposes amending claims 8-11 and 25-30 in a manner consistent with the interview of May 18, 2011. Claim 12 depends from claim 8. Therefore, Applicant submits that claims 8-12 and 25-30 are patentable over the applied references for at least the reasons discussed during the interview.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 8-12 and 25-30 under 35 U.S.C. § 103(a) based on OKADA and WALL et al.

### **Conclusion**

In view of the foregoing proposed amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the proposed pending claims. Applicant respectfully requests that the Examiner enter the amendment because the amendment does not raise new issues or require a further search of the art. Moreover, Applicant respectfully submits that the proposed amendment places the present application in condition for allowance. In addition, Applicant respectfully submits that entry of this proposed amendment would place the application in better form for appeal in the event that the application is not allowed.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order to expedite prosecution of this application.

As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a

reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, assertions regarding Official Notice, etc.) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070, and please credit any excess fees to such deposit account.

Respectfully submitted,

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